

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-4052

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOSEPH DOMINICK URATO, a/k/a Joey Urato,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Anderson. Solomon Blatt, Jr., Senior District Judge. (CR-98-150)

Submitted: July 27, 2000

Decided: August 28, 2000

Before WILKINS, WILLIAMS, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

J. Robert Haley, Assistant Federal Public Defender, Charleston, South Carolina, for Appellant. Bruce Howe Hendricks, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Joseph Dominick Urato pled guilty pursuant to a plea agreement to: Count 1, a January 16, 1998, armed bank robbery; Count 3, a December 17, 1997, armed bank robbery; and Count 4, using and carrying a firearm during a crime of violence in the December 17 robbery. Urato was sentenced to seventy-eight months of imprisonment as to Counts 1 and 3; he received sixty months on Count 4, to run consecutively to the seventy-eight months for a total of 138 months of imprisonment.

Urato's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), challenging the validity of Urato's guilty plea and the application of a five-level increase under the U.S. Sentencing Guidelines Manual ("USSG") § 2B3.1(b)(2) (1998), but asserting that there are no meritorious issues for appeal. Although advised of his right to do so and granted an extension of time, Urato has not filed a pro se supplemental brief.

We have examined the entire record in this case in accordance with the requirements of Anders, and find no meritorious issues for appeal. We therefore affirm Urato's convictions and sentence. The court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may again move in this court for leave to withdraw from

representation. Counsel's motion must state that a copy thereof was served on the client. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED